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Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-second year

Identical letters dated 2 January 2007 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

On 26 December 2006, the Government of Israel announced its plans to construct a new illegal settlement in the Occupied Palestinian Territory, including East Jerusalem, namely in the Jordan Valley of the West Bank. The announcement of this unlawful plan is particularly alarming because it is indicative of the occupying Power's continued disdain for international law and the will of the international community. Moreover, Israel's continued colonization of Palestinian land and settler colonialism is also further destroying the vision of two States living side by side in peace and security, based on the 1967 borders.

The recent approval of the new illegal settlement by the occupying Power intends to house 30 families that originally inhabited the illegal settlement of Gush Katif in the Gaza Strip prior to Israel's unilateral exit from the Gaza Strip in 2005. This is clearly part of the occupying Power's revolving door policy vis-à-vis the illegal settlements in the Occupied Palestinian Territory. In other words, the removal of illegal settlers, such as in the Gaza Strip, has transpired in their relocation to other illegal settlements in the West Bank. This is the same as when an illegal outpost is vacated in one place and the authorization of the expansion of another illegal settlement occurs elsewhere.

In his last meeting with President Mahmoud Abbas, Israeli Prime Minister Ehud Olmert announced his commitment not to undertake any unilateral action that would predetermine the final status negotiations. During the same meeting, he announced a series of promises, including the release of Palestinian detainees before the Holy Eid festivities as well as the lifting of some of the over 500 Israeli checkpoints suffocating the West Bank and isolating its villages, cities, and refugee camps from one another. These promises are yet to be fulfilled and some, like the release of Palestinian detainees, have been reversed. More alarming, the announcement of the construction plan of yet another illegal settlement in the West Bank deals a severe blow to any hope for resumed talks and puts into question the

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true intentions of Israel, the occupying Power, as well as its degree of commitment towards peace.

It is important to recall that such Israeli settlement policies and practices are being carried out in flagrant and grave violation of international law, particularly the Fourth Geneva Convention. This fact was confirmed by the International Court of Justice in its Advisory Opinion of 9 July 2004, which determined, inter alia, that the Israeli settlements have been established in breach of international law. Indeed, article 49 of the Fourth Geneva Convention — the applicability of which has been reaffirmed by the Security Council and by the International Court of Justice as well — unambiguously stipulates that "The Occupying Power shall not deport or transfer parts of its own civilian population in to the territory it occupies". Moreover, article 85 (4) of Protocol I Additional to the Geneva Conventions regards the transfer by the occupying Power of parts of its own civilian population into the territory that it occupies as a grave breach, and article 8 (b) (viii) of the Rome Statute of the International Criminal Court considers it to be a war crime.

Furthermore, this announcement is in complete defiance of the Road Map for peace, which was endorsed by Security Council resolution 1515 (2003) as well as other Security Council resolutions, in particular resolution 465 (1980). Hence, the obligations of the United Nations and the Security Council are clear. The construction of this planned illegal settlement, due to start in the coming two weeks, must be condemned and halted. Moreover, the international community must reiterate its call upon Israel, the occupying Power, to abide by all of its legal obligations under international law, including international humanitarian law and human rights law, and must act decisively in case of continued non-compliance.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations

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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-second year

Identical letters dated 4 January 2007 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Today, 4 January 2007, Israeli occupying forces raided the West Bank city of Ramallah, and killed four Palestinians and injured more than 25 others, including a journalist, five of them critically. Israeli occupying forces, using armoured vehicles and bulldozers, and under the cover of helicopter gunships, blocked off streets near Ramallah's Al-Manara square, slamming aside parked cars and causing havoc and extensive damage to several commercial and residential buildings. Israeli occupying forces, using 12 armoured vehicles, also raided today the town of Al-Doha near Bethlehem, searching several houses. They shot and severely injured 19-year-old Mohammad Mountasser Abu Zaid before arresting him and taking him to an unknown destination.

During the past few days, Israeli occupying forces continued their military incursions and raids into several West Bank cities and towns, arresting several Palestinians. Three Palestinian fishermen were also abducted by Israeli marines across the shores of Rafah as they were fishing. Their whereabouts are unknown to date.

Israel, the occupying Power, persists in its lethal and unlawful campaign of military aggression and State terror against the defenceless Palestinian civilian population in the Occupied Palestinian Territory, including East Jerusalem. Innocent Palestinian civilians, including children, continue to be killed and vast physical destruction continues to be caused by the Israeli occupying forces, which continue to launch assaults and raids in densely populated areas.

The inability of the international community to act to bring a halt to these serious violations and grave breaches of international law being committed by the occupying Power has undoubtedly had serious ramifications in terms of the continuation of this conflict for it has allowed Israel to continue to act with impunity and with flagrant disrespect for the law. The international community cannot continue to stand idly by while Israel, the occupying Power, continues to

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commit grave violations of international law, including international humanitarian law. The international community, particularly the Security Council, must uphold its responsibilities for the maintenance of international peace and security and is thus duty bound to stand up to such Israeli policies and practices and take the necessary measures to bring them to an immediate end, in accordance with the Fourth Geneva Convention of 12 August 1949, which it is bound to respect and uphold.

The international community must demand that Israel, the occupying Power, cease its military aggressions and violations against the Palestinian people and comply with its obligations under international law, including international humanitarian law and human rights law. In this regard, it is necessary to recall that the occupying Power has clear duties and obligations.

The present letter is in follow-up to our previous 273 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 2 January 2007 (A/ES-10/375-S/2007/1), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, I regret to inform you that, since our last letter to you, at least four more Palestinian civilians have been killed by the Israeli occupying forces, raising the total number of martyrs killed since 28 September 2000 to 4,448. The names of the martyrs that have been identified are listed in the annex to the present letter (see annex).

I should be grateful if you would arrange to have the text of the present letter and its annex distributed as an official document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer

Annex to the identical letters dated 4 January 2007 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem
(Thursday, 4 January 2007)

1. Khalil Mustafa Al-Badawi
2. Youssef Abdel Qader
3. Alaa' Fouad Hamran
4. Jamal Jameel

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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-second year

Identical letters dated 24 January 2007 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Amidst the positive statements about the need to revive the peace process and reach a just and lasting solution to the Palestinian-Israeli conflict, based on the road map and the two-State vision, Israel, the occupying Power continues to take steps that hamper any progress towards achieving this noble goal. Additionally, declarations of what appear to be goodwill measures on the part of the occupying Power have been exposed to be hollow statements. Allow me here to point to the admission of the Israeli occupying forces that their claim of removing 44 roadblocks in the West Bank earlier this month were false because these roadblocks either didn't exist or were nothing more than mere dirt piles that had been removed earlier, mostly by the Palestinians themselves.

Special attention should be afforded to 10 year-old Abir Arameen, who was killed by Israeli occupying forces in Anata, near Occupied East Jerusalem. Abir is the 955th Palestinian child under the age of 18 to be killed by the Israeli occupying forces since September 2000. She was one of many Palestinian schoolchildren protesting against the construction of the illegal Israeli Separation Wall on 16 January 2007, who were attacked mercilessly by Israeli occupying forces with rubber bullets and stunt grenades. Abir died because of a skull fracture caused by a fragment from the stunt grenade thrown into the children's midst. Her death, along with that of 17 year-old Muhran Abu Al-Masir, who was killed at dawn on 24 January 2007 by Israeli occupying forces in the central Gaza Strip, are the latest examples of the utter Israeli disdain towards the worth of Palestinian lives manifested in the aggressive actions of the occupying forces.

In line with its policy of disdain towards international law and international humanitarian law, Israel, the occupying Power, in addition to its illegal settlement activities, continues to protect armed Israeli settlers in the West Bank, even while

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they attack Palestinians and desecrate their cemeteries. The latest such incident took place on 23 January 2007, when armed Israeli settlers, under the watchful eyes of the Israeli soldiers, attacked the village of Oarta, south of Nablus City, which is surrounded by a number of illegal settlements, including Itamar, destroying Palestinians' cars and homes and desecrating 14 graves in the village's cemetery.

Israel, the occupying Power, has also been waging an unwavering campaign of wide-scale arrests in the West Bank, including the arrest of Mr. Hatem Abdel Qader, former Member of the Palestinian Legislative Council, in Jerusalem, and Sheikh Tayssir Al-Tamimi, Islamic Chief Judge and Head of the Supreme Council of Islamic Judiciary. Sheikh Al-Tamimi was illegally arrested by the Israeli occupying forces and accused of praying in the Holy Al-Aqsa Mosque Compound without a "proper permit" and inciting against the Israeli occupation. Bearing in mind that the Israeli occupying authorities continue to deny Muslim and Christian Palestinians from their basic human right of free access to religious sites, especially in East Jerusalem.

In addition to the arrest campaign, Israel, the occupying Power, has continued its illegal measures to change the cultural and demographic character of Occupied East Jerusalem, in a clear effort to change facts on the ground and pre-empt any final status negotiations on the occupied city. For example, the Al-Aqsa Compound is once again in danger from the continued illegal excavations by Israeli authorities under the compound. Additionally, Israeli occupation authorities have authorized a group of illegal Israeli settlers to erect a Jewish synagogue on illegally confiscated Islamic Waqf land, a mere 50 metres away from the Holy Al-Aqsa Mosque Compound. This is the first such permit since Israel occupied East Jerusalem in 1967. In this regard, the planned illegal construction in Occupied East Jerusalem should be addressed in the larger context of Israeli intransigence towards the legal status of the city and the colonial reality that it has imposed on East Jerusalemites, choking their neighbourhoods with a colonial belt that devours 35 per cent of the city and includes 70 separate illegal settlements.

Currently, Israel, the occupying Power, illegally detains approximately 10,000 Palestinians. They live in deplorable conditions and suffer from medical neglect and severe restrictions on their basic rights, including family visitations. On 16 January 2007, 37 year-old detainee Jamal Al-Saraheen died in the Israeli Negev prison from medical neglect by the Israeli detention authorities who wilfully delayed providing him with the medical attention he needed to survive. There are at least 150 Palestinian detainees currently suffering from life-threatening conditions, who continue to suffer from medical neglect and may face Al-Saraheen's fate if no one intervenes to protect their basic right to life.

The international community, in accordance with the rules and principles of international law, including international humanitarian law, has clear responsibilities in terms of ensuring the proper conduct of the occupying Power, including compliance with its legal obligations and commitments. Moreover, measures must be taken to prevent the further escalation of this Israeli military campaign and breaches of international law against the Palestinian civilian population which remains helpless and without any protection from the brute force of the occupying Power.

This letter is in follow-up to our previous 274 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since

28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 4 January 2007 (A/ES-10/376-S/2007/3) constitute a basic record of the crimes committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I would be grateful if you would arrange to have the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer

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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-second year

Identical letters dated 6 February 2007 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

In follow-up to our letter dated 24 January 2007, Israel, the occupying Power, has stepped up its illegal actions, especially in Occupied East Jerusalem, which aim to intensify expansionist policy for the colonization and Judaization of Arab Jerusalem, with the support of fanatic Jewish settler groups.

Israel, the occupying Power, is continuing its campaign to Judaize the city of Jerusalem and create a new demographic composition in the occupied city. Such actions demonstrate clearly the intransigence of the Israeli Government and its persistence in defying the will of the international community and in violating international law and United Nations resolutions. In this context, it is imperative for the international community to take measures in order to confront these Israeli policies and actions, to ensure respect for international law and to prevent further escalation of the situation in the region.

In line with this unchecked intransigence, Israeli occupying authorities have gone ahead with the condemnable plan to step up its aggression against Islamic Waqf sites in Occupied East Jerusalem. Most notably, Israeli occupying authorities have begun demolishing a historic road connecting Bab Al-Maghariba with the Holy Al-Aqsa Mosque Compound, in addition to two rooms adjacent to the Western Wall, thus exposing the Holy Compound and making it more vulnerable yet to future acts of aggression. Additionally, Israeli occupying authorities continue to carry out excavation works below the Holy Al-Aqsa Compound, undermining its foundations and threatening it with collapse.

There are also concerning reports that Israel, the occupying Power, plans to construct a tourist side below the Holy Al-Aqsa Compound, further raising fears about serious threats facing the Holy Compound. Additionally, Israeli occupying authorities have banned Palestinians below the age of 45 from entering the Holy Al-Aqsa Mosque Compound in grave contravention of their basic right to access

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their holy sites and clear violation of Israel's obligations, as an occupying Power, to ensure and protect that right.

These provocative actions are not the first of their kind. Since 1968, the Security Council has adopted 16 resolutions regarding the city of Jerusalem, and has repeatedly declared that all measures and arrangements taken by Israel, the occupying Power, including the legislative and administrative ones, which aim at changing the legal status, demographic composition and character of the city, are null and void and without any legal validity whatsoever. Furthermore, the Security Council has repeatedly reaffirmed the applicability of the Fourth Geneva Convention of 1949 to all the territories occupied by Israel in 1967, including East Jerusalem.

Obviously, the drive by Israel, the occupying Power, to Judaize Jerusalem and to illegally change the status, demographic composition and character of the Holy City is intensifying amid the inability of the Security Council to stop the Israeli violation of international law and relevant Security Council and General Assembly resolutions.

The Security Council, as the body responsible for maintaining international peace and security, has the responsibility to take immediate action in order to reverse the Israeli decision, bring an end to the Israeli violations and guarantee respect for the Council's resolutions and for international law.

It must be absolutely clear that Israel, as an occupying Power, has responsibilities in accordance with international law that it must respect with regard to safeguarding holy sites in the Occupied Palestinian Territory, including East Jerusalem, as well as ensuring and respecting Palestinians' rights to access their holy sites. Respecting these rights is not a luxury Israel can choose to bestow upon the Palestinian people under its occupation. Instead, it is an obligation that Israel must be compelled to respect.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Muin **Shreim**
Chargé d' affaires a.i.

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General Assembly
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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-second year

Identical letters dated 9 February 2007 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Israel, the occupying Power, has committed yet another dangerous violation of its obligations under international law, international humanitarian law and relevant Security Council resolutions. In this regard, Israeli occupying forces yet again proved their belligerence and lack of respect for Muslim Holy sites and the Palestinian people's right to worship by storming into the Holy Al-Aqsa Mosque Compound today during Friday prayers in Occupied East Jerusalem. More than 300 Israeli occupying forces proceeded to fire rubber bullets and tear gas into the crowds of Palestinian civilians who were barred by Israeli occupying forces from entering Al-Haram Al-Sharif. Israeli occupying forces injured over 20 Palestinians, including children and elderly persons, many seriously. In addition, a number of Palestinians were also illegally arrested by Israeli occupying forces. These events took place while a large number of Palestinians continued to peacefully protest against the condemnable excavation work being carried out by the occupying Power beneath the Holy Al-Aqsa Mosque Compound, and the demolition of the historic road connecting Bab Al-Maghariba with the Holy Al-Aqsa Mosque Compound, which are seriously undermining its foundations and threatening it with collapse.

The Security Council has repeatedly affirmed the applicability of the Fourth Geneva Convention of 1949 to all the territories occupied by Israel since 1967, including East Jerusalem, and has called upon Israel to abide by the provisions of the Convention. In several of its resolutions, the Council declared all Israeli measures and actions which aim at changing the status of Jerusalem as invalid, and it called upon Israel to rescind all such measures and to desist from further action changing the status of Jerusalem. The above-mentioned Israeli action is obviously another measure aimed at the judaization of the city, creating yet additional facts with regard to the Holy City's status, thus adversely affecting the outcome of final status negotiations.

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In this regard, and given the extremely important religious and spiritual nature of the issue, we call upon the Security Council to take the necessary steps to address this issue and to have the Israeli action halted and reversed immediately.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer